

SENATE BILL 9077

By Hensley

AN ACT to amend Tennessee Code Annotated, Title 4,  
Chapter 5; Title 33; Title 63; Title 68 and Title 71,  
relative to COVID-19.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 63, Chapter 1, is amended by adding  
the following as a new part:

**63-1-701. Short title.**

This part is known and may be cited as the "Freedom in Medical Treatment Act."

**63-1-702. Part definitions.**

As used in this part:

(1) "COVID-19" means the novel coronavirus, SARS-CoV-2, and  
coronavirus disease 2019, including a mutation of the novel coronavirus, SARS-  
CoV-2, and coronavirus disease 2019;

(2) "Healthcare professional" means a physician or other healthcare  
practitioner licensed, registered, accredited, or certified to perform specified  
healthcare services pursuant to this title or title 68 and regulated under the  
authority of a board as described in § 68-1-101(a)(8)(A)-(DD); and

(3) "Treatment for COVID-19" means a procedure, medicine, drug,  
therapy, or other form of medical care meant to heal, cure, treat, prevent,  
mitigate, or otherwise address COVID-19.

**63-1-703. Prohibition on health related boards restricting freedom in medical  
opinions regarding COVID-19 treatments.**

A board as described in § 68-1-101(a)(8)(A)-(DD) shall not take adverse action against a healthcare professional licensed by the board relating solely to the healthcare professional's prescription, recommendation, use, or opinion relative to a treatment for COVID-19, including a treatment that is not indicated for COVID-19 or is not recommended or regulated by the department of health, the board, or the federal food and drug administration.

**63-1-704. Prohibited rules.**

A board as described in § 68-1-101(a)(8)(A)-(DD) shall not promulgate or enforce a rule or policy in violation of this part. Any such rule or policy is void.

SECTION 2. The boards affected by this act are authorized to promulgate rules, including emergency rules, to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. The headings in this act are for reference purposes only and do not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the headings in any compilation or publication containing this act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.